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Fax (703) 872-9306 Pages 9

Date November 19, 2004

From Susan M. Pellegrino

Fax (203) 812-6459 Tel. (203) 812-6450

Re U.S. Patent Application Serial No.: 10/070,963

Bayer Pharmaceuticals
Corporation

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Documents transmitted to the U.S. Patent and Trademark Office

- 1) Fee Transmittal [IN DUPLICATE]
- 2) Reply to Office Action mailed on May 19, 2004
- 3) Request for Continued Examination (PTO/SB/30)
- 4) Certificate of Transmission under 37 CFR 1.8
- 5) Fax Cover Sheet

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Susan M. Pellegrino, Reg. No. 48,972

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For U.S. Patent Application Serial No. 10/070,963

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FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$)**1770.00****Complete if Known**

Application Number	10/070,963
Filing Date	June 28, 2002
First Named Inventor	Erwin Bischoff
Examiner Name	Jennifer M. Kim
Art Unit	1617
Attorney Docket No.	LeA 35 965

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
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Account
Name

13-3372

Jeffrey M. Greenman

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 285	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 280	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

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FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity - Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65			Surcharge - late filing fee or oath	
1052 50	2052 25			Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130			Non-English specification	
1812 2,520	1812 2,520			For filing a request for ex parte reexamination	
1804 920	1804 920			Requesting publication of SIR prior to Examiner action	
1805 1,840	1805 1,840			Requesting publication of SIR after Examiner action	
1251 110	2251 55			Extension for reply within first month	
1252 420	2252 210			Extension for reply within second month	980.00
1253 950	2253 475			Extension for reply within third month	
1254 1,480	2254 740			Extension for reply within fourth month	
1255 2,010	2255 1,005			Extension for reply within fifth month	
1401 330	2401 165			Notice of Appeal	
1402 330	2402 165			Filing a brief in support of an appeal	
1403 290	2403 145			Request for oral hearing	
1451 1,510	1451 1,510			Petition to institute a public use proceeding	
1452 110	2452 55			Petition to revive - unavoidable	
1453 1,330	2453 665			Petition to revive - unintentional	
1501 1,330	2501 665			Utility issue fee (or reissue)	
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1503 640	2503 320			Plant issue fee	
1460 130	1460 130			Petitions to the Commissioner	
1807 50	1807 50			Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180			Submission of Information Disclosure Stmt	
8021 40	8021 40			Recording each patent assignment per property (times number of properties)	
1809 770	2809 385			Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385			For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385			Request for Continued Examination (RCE)	790.00
1802 900	1802 900			Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**1770.00****SUBMITTED BY**Name (Print/Type) **Susan M. Pellegrino**Registration No.
(Attorney/Agent)**48,972**

(Complete if applicable)

Telephone **(203) 812-6450**

Signature

*Susan M. Pellegrino*Date **11/19/2004****WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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DUPLICATE

PTO/SB/17 (10-03)

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Examiner Name	Jennifer M. Kim
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13-3372Deposit Account Name
Jeffrey M. Greenman

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FEE CALCULATION (continued)**3. ADDITIONAL FEES**

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Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1770.00**SUBMITTED BY**

Name (Print/Type) Susan M. Pellegrino

Registration No. 48,972

(Complete if applicable)

Telephone (203) 812-6450

Signature

Susan M. Pellegrino

Date 11/19/2004

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Attorney Docket No. LcA 33 965

NOV 19 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Erwin Bischoff, et al.,

Serial No.: 10/070,963

Group Art Unit: 1617

Filed: June 28, 2002

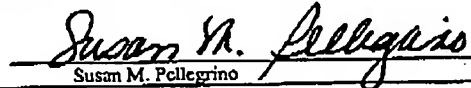
Examiner: Jennifer M. Kim

For: Novel Combination for the Treatment of Sexual Dysfunction

CERTIFICATION OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence and any papers referred to as attached are being facsimile transmitted, on the date shown below, to the U.S. Patent and Trademark Office at (703) 872-9306.

Date: November 19, 2004


Susan M. Pellegrino

REPLY AND AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action mailed on May 19, 2004 (Paper No. 05062004), Applicants respectfully request reconsideration and reexamination of the present application in view of the following remarks.

Applicants respectfully petition the Commissioner for Patents under the provisions of 37 C.F.R. 1.136(a) to extend the time for filing a response to the Office Action mailed on May 19, 2004 for three months from August 19, 2004 to November 19, 2004. Please charge the fee for the three-month extension of time to Deposit Account No. 13-3372.

A Request for Continued Examination (RCE) has also been filed including the appropriate fee (PTO/SB/30).

REMARKS

Applicants respectfully request reconsideration and reexamination of the present application in light of the remarks below.

Claims 1, 5-10, and 12-26 are pending in this application.

Applicants note that the Examiner has withdrawn rejection of claims 18 and 19 under 35 U.S.C. § 112, second paragraph (Paper No. 05062004, page 2).